Dorsey Expects to Be Ready, He Says, but Postponement Seems Probable

That Leo M. Frank will go on trial for the murder of Mary Phagan on June 30th is not a certainty, although it is generally conceded that Solicitor Hugh M. Dorsey will set the case on the court's calendar for that date when he returns to the city from New York.

Solicitor Dorsey will return to Atlanta on Sunday. In reply to a telegram from The Journal relative to the time of the trial he makes the following statement: "Cannot say definitely that state will be ready on June 30, but expect now to be."

As to whether or not the trial actually will be commenced on that date depends largely upon the defense, although there is a bare possibility that the court may wish to hold up the trial of the long case until after the jail is cleared. It is the general policy of the criminal division of the superior court to clear the jail for the summer at this time of the year, and it is known that thirty or forty routine cases could be disposed of in the time that it will take to hear the Frank case. The court will grind on routine business for the week of June 23rd, but in that time, it is said, it will be imposible [sic] to clear the jail.

However, it will remain largely with the defense as to whether or not the case comes to trial.

ROSSER LEAVES CITY.

Luther Z. Rosser, counsel for Frank, is expected to leave the city on Friday on business which is said to have no connection with the Frank case. He refuses to discuss the defense's attitude toward an early trial.

Reuben R. Arnold, who probably will be associated with Mr. Rosser in the defense, is spending the week end at Atlantic Beach.

Mr. Arnold has been busy on a number of court cases, and while he is said to be quite familiar with the evidence in the Frank case, if he does become associated with the defense, it is probable that

he will want additional time to study the case before he enters into the trial of such an important matter.

Mary Phagan was killed on April 26th, little more than two months from the date the case will probably be set on the court's calendar.

It is not often that a person is brought to trial for a criminal offense in Fulton county two months after the commission of the crime with which he is charged.

Another element which, while it may not figure in the court record, is an important factor behind the scenes, is the intense heat at this time of the year.

A trial like that of Frank will be a tremendous strain on the attorneys, the court, the jury and everyone else concerned, and many of those engaged in the case would like to put it off until fall for that reason.

All of which means that while Frank may be brought to trial on June 30th, the chances favor a postponement.

NO PREPARATIONS MADE.

While it is still believed that the solicitor will set the case for June 30, no preparations for the trial have yet been made by the court attaches, and this is taken as an indication that the state itself does not seriously entertain the idea of actually entering into the case on that date.

A hundred or more talesmen may be examined before a jury is finally chosen in the case. No talesmen have been summoned for the week of June 30, and preparations have been made by the court attaches for only a week's ses-[…]

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FRANK CASE MAY NOT BE TRIED JUNE 30

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[…]sion of the court. The deputies will be busy in the court during next week, and if the trial of Frank were by any means a certainty, preparations would be under way.

When a two weeks' session of the criminal division of the superior court is to he held it is customary to draw the names of the talesmen who are to serve the second week with those who serve during the first week of the session.

Now, however, talesmen have been drawn for service only during the week of June 23, according to Deputy Sheriff Plennie Minor.